

HOUSE BILL 3630
By McDaniel

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 11 and Title 11, relative to protection of
historical monuments and memorials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 11, is amended by adding sections 2
through 4 as a new, appropriately designated chapter:

SECTION 2.

§ 11-27-101.

None of the following items, structures, or areas may be relocated, removed,
disturbed, altered, renamed, or rededicated: Any Revolutionary War, War of 1812,
Mexican-American War, War Between the States, Spanish-American War, World War I,
World War II, Korean War, Vietnam War, Persian Gulf War, War in Iraq, or Native
American War's statues, monuments, memorials, or nameplates (plaques), which have
been erected on public property of the state or any of its political subdivisions, such as
local, municipal, or county-owned public areas, and any statues, monuments,
memorials, nameplates (plaques), schools, streets, bridges, buildings, parks, preserves,
reserves or other public items, structures, or areas of the state or any of its political
subdivisions, such as, local, municipal, or county-owned public areas, which has been
dedicated in memory of, or named for, any historical military figure, historical military
event, military organization, or military unit.

SECTION 3.

§ 11-27-102.

No person may prevent the public body responsible for maintaining any of the items, structures, or areas described above from taking proper measures and exercising proper means for protection, preservation, care, repair, or restoration of those items, structures, or areas. The governing body may move the memorial to a more suitable location if it is determined that the location is more appropriate to displaying the monument.

SECTION 4.

§ 11-27-103.

This chapter shall not apply to items, structures, or areas located on property owned or acquired by the Tennessee Department of Transportation which may interfere with the construction, maintenance, or operation of public transportation facilities.

SECTION 5. Tennessee Code Annotated, Section 4-11-502(a)(1), is amended by deleting the language "the French and Indian War, American Revolution, War of 1812, U.S.-Mexican War, and the War Between the States" and substituting instead the language "any Revolutionary War, War of 1812, Mexican-American War, War Between the States, Spanish-American War, World War I, World War II, Korean War, Vietnam War, Persian Gulf War, War in Iraq or Native American War's" in the first sentence.

SECTION 6. This act shall take effect July 1, 2006, the public welfare requiring it.